

ORDINANCE NO. 174 N. S.

AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES PROVIDING AND SPECIFYING CONDITIONS UNDER WHICH WATER SHALL BE FURNISHED BY SAID CITY TO CONSUMERS AND MAKING REGULATIONS WITH RESPECT THERETO; IMPOSING PENALTIES FOR THE VIOLATION HEREOF; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED by the City Council of the City of El Paso de Robles as follows:

SECTION 1: SEPARATE CONNECTION. All water furnished by the City of El Paso de Robles to any structure, building, house, flat, tenement, ground floor, business room or store, or any unimproved realty under one ownership in said City having a street or road frontage, shall be through a separate service connection; provided, however, that where two or more dwellings owned by the same person or persons are situated on one lot, and have only one frontage on the same street or road, said dwellings may be furnished with such water through one and the same service connection, and provided further that each dwelling now having a street or road frontage shall be deemed as separately connected for the purpose of the charge and collection for water furnished thereto, and the owner shall be liable for such water so furnished any one connection.

SECTION 2: (a) ENLARGED CONNECTIONS. No new or enlarged connection for any premises shall be made to the City water mains or to its system, without a written application therefor, signed by the owner or some person on his behalf upon blanks to be furnished by said City, being submitted to the water department stating the following:

1. The location where such connection shall be made;

2. That the service pipe is properly equipped with a shut off approved by the Superintendent of the Water Department of said City and accessible at all times.

at all times have the right of ingress and egress to the consumer's premises at all reasonable hours for any purpose reasonably connected with the furnishing and conservation of water, for the inspection of the entire water system on said premises.

SECTION 18: REPAIRS ON EXTENSIONS. The City of El Paso de Robles reserves the right to shut off the water from any premises, or from any part of the distributing system, as long as necessary, without notice to consumer, at any time when the exigencies of the occasion may require it, but in all cases of extensions or connections, said department shall notify consumers of the necessity of shutting off water and the probable length of time the water shall be shut off, before taking such action.

SECTION 19: DRAWING WATER INTO STEAM BOILERS. No stationary steam boiler shall be connected directly with the water distribution system of said City, but in each and every case, a suitable tank of storage capacity sufficient for a twelve hours supply for said boiler shall be provided, and the service pipe supplying said tank shall discharge directly into the top of said tank.

SECTION 20: CHECK VALVES BY CONSUMERS. Whenever the Superintendent of said department shall consider it necessary for the safety of the water system to have an approved check valve placed on the property side of any consumer's service, due notice shall be given to said consumer so to do. Said valve shall thereupon be immediately installed at the expense of said consumer.

SECTION 21: UNAUTHORIZED CONNECTIONS -- TAMPERING. No person shall interfere with or in any manner tamper with any water meter, pipe line, or water service facility of the Department, and in the event that any person shall interfere with or tamper with any of the same so that repairs or adjustments are necessary, water service to such person shall be discontinued until the cost of making the necessary repairs or adjustments shall have been paid in advance, and in addition, such person

shall be subject to the penal provisions of this Ordinance. No by-pass or connection between a water meter and a water main shall be made or maintained without the permission in writing of the Superintendent. It shall be unlawful for any person other than the authorized agents and employees of the Department, to turn on water after the same has been turned off at any meter or connection, or for any reason to take or use water without notifying the Superintendent, or to cut in or make connections with the water mains without permission in writing from the Superintendent. All owners or occupants of property supplied with water are prohibited from furnishing water to others without the written permission of the Superintendent.

SECTION 22: No new service connection shall be made to the City of El Paso de Robles's water system to any premises outside the limits of said City, unless said premises have an established lawful right to connect said premises with said City's water system.

SECTION 23: OTHER PENALTIES. In addition to the penalties provided for in this ordinance, any person, firm or corporation violating any of its provisions shall be guilty of a misdemeanor and shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment in the jail of said City, or in the jail of the County of San Luis Obispo, for not less than Five days nor more than Thirty days or both such fine and imprisonment.


SECTION 24: The rates herein specified shall be in full force and effect until changed by ordinance of said City, and nothing in this ordinance contained shall be construed as a contract on the part of said City to so furnish its water for any definite period or as a public utility in respect to any water furnished outside of said City. Nothing herein contained shall be deemed to prevent or bar said City from recovering from any consumer the amount of indebtedness due said City for any water furnished to said consumer prior to the effective

date of this ordinance at the rates then applicable.

SECTION 25: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED AND ADOPTED this 14th day of July, 1952.

CITY OF EL PASO DE ROBLES


MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES

} SS.

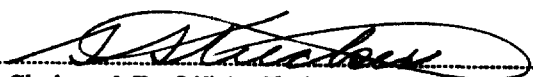
I, S. S. Tucker, City Clerk of the City of
El Paso de Robles, California, do hereby certify that the foregoing ORDINANCE
No. 174, N.S. was duly and regularly adopted, passed, and approved by the City
Council of the City of El Paso de Robles, California, at a regular meeting of said City
Council held at the regular meeting place thereof, on the 14th day, of July
1952, by the following vote:

AYES: Councilmen Gates, Gerst, Ottoson, Smart and Sturgeon

NOES: Councilmen None

ABSENT: Councilmen None

Dated this 14th day of July, 1952


City Clerk and Ex-Officio Clerk of the City Council,
City of El Paso de Robles, State of California.

Said application shall be accompanied by a fee as provided in Section 3 of this Ordinance. Upon the receipt of such application and fee by the Water Department, said premises shall be connected to the water mains of said City if found to conform to the provisions of this Ordinance.

Connections outside the City shall be made only as allowed by Section 22 of this Ordinance.

(b) INSTALLATION OF METERS REDUCED IN SIZE. No meter installation for any premises shall be installed to the City water mains or to the City water system reducing the size of said meter without the consumer first having made application for such installation and connection.

Such application shall be signed by said consumer or some person or agent on the consumer's behalf upon blanks to be furnished by the said City and permission granted, said application to be accompanied by a fee of Five Dollars (\$5.00), to cover the necessary costs of installation and/or replacement of said meter.

SECTION 3: SERVICE FEES WITHIN SAID CITY. (a) The fees for making connections, or for enlarging those already in, shall be as follows, to wit:

SIZE OF METER AND SERVICE	SERVICE FEES
5/8 inch with 3/4 inch service.....	\$ 30.00
3/4 inch.....	40.00
1 inch.....	50.00
1 1/4 inch.....	60.00
1 1/2 inch.....	75.00
2 inch.....	100.00

(b) OUTSIDE THE CITY.

The fees for making connections, or for enlarging those already in, shall be the actual cost thereof, including meter, material and labor. Said costs shall be paid before water service is turned on for the premises being served.

(c) The fees for installing a 5/8", 3/4" or 1" meter or enlarging meters already installed where the service

connection from the water main to the curb line have been provided for the fronting property, shall be Five Dollars (\$5.00).

(d) Each of the foregoing "Service Fees" shall include a shut off valve on the consumer side of the meter for his use. Location of said shut off valve shall be as close to the meter as possible.

(e) Services larger than two (2) inches and service enlargements shall be paid for by the consumer at cost plus overhead and cost of meter.

SECTION 4: WATER RATES. The monthly rates to be charged and collected each month by the Water Department for all classes of service, from every person, school, firm or corporation, shall be at the rates established by:

(a) Resolution of the City Council from time to time with reference to this section.

(b) Any policy regulating water service to property outside the corporate limits of the City of El Paso de Robles as provided by Resolution of the City Council of said City from time to time.

(c) In the case of circuses, carnivals and traveling shows requiring temporary water service a flat rate of Seven and 50/100 Dollars (\$7.50) for each day shall be charged where connection is made to a fire hydrant.

(d) In the case of water furnished to a tank truck, the minimum charge shall be Seventy-five cents (75¢) per tank of not over 1,000 gallons.

(e) A minimum charge of One Dollar (\$1.00) per month for each fire hydrant shall be billed to the Fire Department of the City of El Paso de Robles.

Provided that if the amount of any bill shall not be an exact multiple of five cents, such bills shall be reduced or increased to the next nearest multiple of five cents.

SECTION 5: PRIVATE FIRE LINES. Rate for private

fire line service when meter is not required.

(a) WITHIN THE CITY:

Each 1½ inch service \$10.00 per annum, payable semi-annually.

Each 2 inch service \$12.00 per annum, payable semi-annually.

Each 4 inch service \$25.00 per annum, payable semi-annually.

Each 6 inch service \$60.00 per annum, payable semi-annually.

If such line is found tapped for domestic use, a meter shall be installed on such service at the expense of such consumer and the regular meter rates shall be charged thereafter. The right shall be reserved to disconnect such fire service from the City's main by direction of the Council on recommendation of the Superintendent of the Water Department.

SECTION 6: APPLICATION FOR TURNING ON WATER. (a)

After the water has been shut off from any premises, it shall not again be connected until the Department has received written application; such application shall be on blanks furnished by the City, and shall be signed by the owner or his agent, which owner shall be liable for all water furnished thereto.

(b) In the event that the applicant shall not be the owner in fee of the property to be supplied with water and such owner of the premises shall refuse to be jointly liable for the payment of the water bills, the Water Department shall require from the tenant a deposit of Five Dollars (\$5.00) on average dwellings. On larger residences, commercial service, or where conditions necessitate a larger consumption, the deposit shall represent an estimated amount equal to not less than three months' estimated maximum consumption. Such estimate shall be made by the Superintendent of the City's Water Department or by some official of said Department qualified to make the same.

When the foregoing conditions are fulfilled, the Water Department is then obligated to turn on water for the qualified consumer.

SECTION 7: CONSUMER RESPONSIBLE. Each consumer shall be responsible to the City of El Paso de Robles for the payment of water delivered through his service connection or meter.

SECTION 8: VACATING PREMISES. Whenever a consumer shall vacate any premises, he shall immediately give written notice thereof in the Water Department. Upon the receipt of such notice, said department shall read the water meter, shut off the water from said premises and immediately present to said consumer all unpaid bills for water furnished by the City to him up to that time. Thereupon said consumer shall pay said bills to the Water Department. In the event that said consumer shall have made a deposit with said department as required in Section 6 of this Ordinance, the balance, if any, of such deposit shall be returned to the consumer, after deducting therefrom the amount of said bills. Until such notice and payments shall have been made, said premises shall be deemed occupied by such consumer and his liability continued.

SECTION 9: WATER USED AFTER OFFICIAL DISCONTINUANCE.

(a) No person other than an official or employee of the Water Department, shall turn on water from the City mains without a written permit from the Superintendent of said department.

(b) When the meter registration shows a consumption after the services have been officially disconnected, the owner of the property shall be held responsible for such consumption plus a turnon fee of One Dollar (\$1.00) and the water shall not again be turned on for either owner or tenant until such illegal consumption has been fully paid.

SECTION 10: (a) Any consumer may have the accuracy of the meter, through which water is being furnished to his premises, examined and tested by the Water Department of said City, by making a written application therefor to said department upon forms provided by said City for such purpose, and accompanying the same with a fee of One Dollar (\$1.00). Upon receipt of such application and fee, said department shall examine and test such meter, and if found to register more than Three (3) per cent in excess of the actual quantity of water passing through it, such meter shall be removed and another meter installed in lieu thereof, said fee of One Dollar (\$1.00) returned to the consumer, and his water bill for the current month corrected accordingly; otherwise said fee of One Dollar (\$1.00) shall be retained by and be a part of the funds and revenue of said City.

SECTION 11: PENALTY FOR NONPAYMENT. (a) If any bill shall not be paid on or before the 15th day of the month following the date of mailing of said bill the same shall thereupon be delinquent. If any bill shall not be paid within one month after it has become delinquent, the water may be shut off from the premises of such delinquent consumer, and may not be turned on again for such consumer until all arrearages in water bills of said consumer shall have been paid in full; water service may be disconnected from the premises occupied by, or may be refused to, any such consumer whose bills are unpaid more than Two (2) months for water service supplied at any other address; provided, however, that any water consumer who is unable to pay his bill for water service may apply in writing to the City Council who shall have authority to cancel such bill, provided the inability of such consumer to pay the bill be proved to the satisfaction of the City Council. All consumers applying for any such

cancellation of a water bill shall appear before the City Council in person or by an agent authorized in writing to present his claim for cancellation. The cancellation of any unpaid bill for water service shall not entitle the consumer to cancellation of any future water bill without new application therefor. The decision of the City Council in the matter of such cancellation of delinquent water bills shall be final.

(b) A consumer's water service may be disconnected for non-payment of a bill of said consumer for water service rendered at a previous location served by the department, provided said bill is not paid within Thirty days after presentation at the new location.

SECTION 12: PENALTY FOR WASTAGE. Each and every consumer shall at all times maintain in good repair all of his water pipes, faucets, valves, plumbing fixtures, or any other appliances, to prevent waste of water.

Where any consumer wilfully neglects to make such necessary repairs the water shall be shut off and sealed by said department and shall not be turned on again until such repairs have been made to the satisfaction of the department and a turn on fee of Two Dollars (\$2.00) paid by said consumer to the said Department.

SECTION 13: USE OF FIRE HYDRANTS. (a) Public fire hydrants shall be placed, maintained and repaired by the water works department. Any damage thereto by persons or agency other than representatives of the fire or water departments, shall be a claim against the person or agency committing such damage, and the superintendent of the water department shall take such action as may be necessary to collect the same.

(b) Fire hydrants are provided for the sole purpose of extinguishing fires and shall be used otherwise only as

herein provided for, and shall be opened and used only by the water and fire departments or such persons as may be authorized to do so by the Chief of the Fire Department or the Superintendent of the Water Department as herein provided.

(c) All persons, firms or corporations desiring to use water through fire hydrants, or other hydrants owned or controlled by the City, shall be required to obtain a permit, first, from the Chief of Fire Department, second, from the Superintendent of the Water Department who shall issue no such permit to any person who has violated any of the provisions of this Ordinance or whose indebtedness to the City for water used or damage to hydrants or equipment is delinquent. And all such persons having permit for use of water from fire hydrants must provide hydrant wrenches for the operation of such fire hydrants.

(d) Permit for the use of water through the fire hydrants of the City may be cancelled at the will of the Superintendent of the Water Department on evidence that the holder thereof is or has violated the privileges conveyed thereunder. Such notice of cancellation shall be in writing officially delivered to the persons to be notified and shall be immediately effective and enforced.

(e) A minimum fee of Two Dollars (\$2.00) shall be paid for each permit issued to use water from any fire hydrant.

If at the time the permit is issued the applicant estimates that he will use more than the minimum amount of water from a fire hydrant, the Water Superintendent may install a temporary meter for the measurement of the water used from said fire hydrant and the consumer shall pay for such water at the rates provided for in Section 4 hereof.

SECTION 14: UNLAWFUL TO OBSTRUCT FIRE HYDRANTS. No person or persons shall place upon, or about a fire hydrant, curbcock, water meter, or water gate connected with the water

system of said City, any object, material, debris, or structure of any kind that shall prevent free access to the same at all times.

SECTION 15: IN CASE OF FIRE. In case of fire, consumers shall be required to shut off all irrigation or any steady flow of water being used when the fighting of any fire reasonably necessitates the same.

SECTION 16: CONSUMER'S RESPONSIBILITY. (a) All meters of the water department shall be placed at the curb line of the street whenever and wherever practicable, and be protected and maintained as a part of the operation of the department.

(b) Where a water meter has been installed inside the premises of a consumer prior to the effective date of this Ordinance, for the convenience of said consumer, provision shall be made for convenient meter reading and repairing by representatives of the department. Failure to make such provision by the consumer shall be sufficient cause for removal of such meter at the option of the Superintendent of the department and the withholding of service until connection is made at the curb line as herein provided.

(c) The City of El Paso de Robles shall in no way whatsoever be responsible for any damage to person or property because of any leakage, breakage or seepage from or accident or damage to any meter or pipe situated within any private premises, and said City shall not be responsible for any leakage, breakage or seepage from any pipe situated between any meter property installed at the curb and the private premises served thereby, nor shall said City be responsible for or on account of any damage, injury or loss occasioned directly or indirectly by the existence of any meter or pipe situate upon private property.

SECTION 17: RIGHT OF INSPECTION. Any officer, foreman or duly authorized representative of the water department shall